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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,999	01/26/2004	Yuwa Tanaka	105-81	6763
23869	7590	09/02/2005	EXAMINER	
HOFFMANN & BARON, LLP 6900 JERICHO TURNPIKE SYOSSET, NY 11791			LEPISTO, RYAN A	
			ART UNIT	PAPER NUMBER
			2883	

DATE MAILED: 09/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/764,999

Applicant(s)

TANAKA ET AL.

Examiner

Ryan Lepisto

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 May 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 1/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Specification*

1. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1-9** are rejected under 35 U.S.C. 102(b) as being anticipated by **Burkholder et al (US 2001/0048790 A1)** (Burkholder). Burkholder teaches an optical connector (11) comprising a housing (10) formed with two opening (1, 12) at each end from inserting a connector and a mating receptacle connector in each side respectfully, a shielded flange (29) that the housing and connectors are inserted into along with various other components being shielded (paragraphs 0024-0025), a shutter unit (part of 10) comprising a main section (part of 11) with a window for orienting and confining (four walls extending in four different directions) connectors, a plurality of tongue leaf shaped shutter leaves (13, 14) with respective light interception plate portions (surfaces

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of the shutters) linked and projecting into to the main section in the interior of the housing (10) to intercept light emitted from a fiber in the closed overlapping position (Fig. 1b) and are able to be rotated about linking sections (31) so the shutter leaves (13, 14) and plate portions are swung forward and lie against the main section walls to allow the connector and receptacle to be connected and wherein when the connectors are removed, resilient leaf springs (15) bias the shutter leaves (13, 14) back to the closed position.

3. **Claims 10 and 12** are rejected under 35 U.S.C. 102(b) as being anticipated by **Roth (US 6,076,975)**. Roth teaches an optical connector (Figs. 1-2) comprising a connector housing (Fig. 1) with two ends with respective holes for receiving a connector and receptacle connector, a shutter unit (44) for intercepting light when in the closed position, an inner piece (38) having engagement claws (non labeled, interior of the opening of 38 near reference numeral 48 shown in Fig. 2 see the flange, similarly shaped to applicant's claw, 14f of Fig. 6) with projections that engage with a connector (Fig. 14, part comprising 114) and the connectors mating grooves (114) on both sides of the connector.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claim 11** is rejected under 35 U.S.C. 103(a) as being unpatentable over Roth as applied to claims 10 and 12 above, and further in view of Burkholder.

Roth teaches the connector with shutter described above.

Roth does not teach expressly the inner piece being made of a shielded material.

Burkholder teaches that it is regular practice in the art to use conductive material in optical connectors for electro-magnetic interference protection.

Roth and Burkholder are analogous art because they are from the same field of endeavor, optical connectors comprising shutters.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use conductive materials as taught by Burkholder to create the inner piece as taught by Roth.

The motivation for doing so would have been increase efficiency of an optical signal transmitted by using materials that offer EMI protection (Burkholder, paragraph 0025).

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Note the Roth reference from above also anticipates claims 1, 3-4 and 6-9.
- All of the following teach optical connectors equipped with shutters: Logan et al (US 4,673,242), Ishikawa (US 5,104,242), Mulholland et al (US 5,142,597),

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Beard et al (US 5,317,663), Baldwin et al (US 5,329,604), Marazzi et al (US 5,348,487), Marazzi et al (US 5,363,460), Chou et al (US 5,570,445), Yamaji et al (US 5,708,745), Masuda et al (US 5,716,224), Evans et al (US 5,802,229), De Marchi (US 5,845,036), Lu (US 5,883,995), Clairardin et al (US 5,915,058), Abendschein et al (US 6,004,043), Roth et al (US 6,081,647), Roth (US 6,108,482), Hall, III et al (US 6,206,577 B1), Selfridge et al (US 6,264,374 B1), Zullig (US 6,302,592 B1), Grois et al (US 6,331,079 B1), Yoshida et al (US 6,340,246 B1), Shimoji et al (US 6,352,375 B1), Matasek et al (US 6,361,218 B1), Chen et al (US 6,371,657 B1), Chen et al (US 6,406,192 B1), Fujiwara et al (US 6,425,692 B1), Iwase (US 6,461,054 B1), Bekenkiy et al (US 6,471,412 B1), Takaoka et al (US 6,481,902 B2), Matasek et al (US 6,554,482 B1), Zellak (US 6,595,696 B1), Burkholder et al (US 6,685,362 B2), Duran (US 6,688,780 B2), Seo et al (US 2004/0052473 A1), Tanaka et al (US 6,866,424 B2), McBride (US 6,715,930 B2), Fujiwara et al (US 6,755,574 B2), Szilagyi et al (US 6,764,222 B1), Zhu et al (US 6,796,719 B2), Ohbayahshi et al (US 6,845,210 B2), Tanaka et al (US 6,866,424 B2).

### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan Lepisto whose telephone number is (571) 272-1946. The examiner can normally be reached on M-F 7:30AM-5:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank Font can be reached on (571) 272-2415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

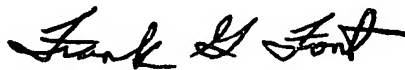
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ryan Lepisto

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Date: 8/8/05



Frank Font

Supervisory Patent Examiner

Technology Center 2800